

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

ROBERT CHEN and OTTERSEC LLC,

Plaintiffs,

v.

DAVID CHEN

Defendant.

Case No. 2:24-cv-00198-ABJ

**NOTICE REGARDING
PLAINTIFF'S MOTION TO STAY DEADLINES
TO PERMIT PLAINTIFF TO FILE AN AMENDED COMPLAINT**

On Friday, November 22, 2024 Plaintiff Robert Chen respectfully moved this Court for a stay of deadlines because he intended to file a Motion for Leave to File an Amended Complaint. ECF No. 15. The basis for this motion was that if the Court were to grant a Motion for Leave to File an Amended Complaint, that Amended Complaint would make upcoming briefing on the pending Motion to Transfer (ECF No. 9), the scheduled hearing on the Motion to Transfer, and Defendant's Answer to the first complaint unnecessary.

Following the filing of Defendant's Motion to Stay Deadlines, counsel realized that, pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), the Complaint could be amended as a matter of course. Rule 15(a)(1) states that "A party may amend its pleading once as a matter of course no later than . . . [,] if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Fed. R. Civ. P. 15(a)(1). Because it is currently not later than 21 days after service of the Answer or a motion under Rule 12(b), (e), or (f), an Amended Complaint, ECF No. 16, could be filed as a matter of course.

In his Motion to Stay, Plaintiff Robert Chen requested a stay of the deadline for Plaintiff's Opposition to Defendant's pending Motion to Transfer (ECF No. 8) (due November 26, 2024) and a stay of the scheduled December 4, 2024 hearing on Defendant's Motion to Transfer, based on the intended filing of an Amended Complaint. Because the Court has not yet ruled on that requested relief, Plaintiffs will file an Opposition to Defendant's Motion to Transfer on Tuesday, November 26, 2024, unless the Court issues an Order indicating otherwise.

Dated: November 25, 2024

Respectfully submitted,

/s/ Amy M. Iberlin
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing was served on the 25th day of November 2024, to the following:

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☐ E-mail
☐ Overnight Delivery
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/s/ Amy M. Iberlin
 Amy M. Iberlin